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Permit No.: WA- 005209-4  
Issuance Date: March 14, 2005  
Effective Date: May 1, 2005  
Expiration Date: April 30, 2010

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
WASTE DISCHARGE PERMIT NO. WA-005209-4

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
CENTRAL REGION OFFICE  
YAKIMA, WASHINGTON 98902

In compliance with the provisions of  
The State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington  
and  
The Federal Water Pollution Control Act  
(The Clean Water Act)  
Title 33 United States Code, Section 1251 et seq.

**CHELAN COUNTY PUBLIC UTILITY DISTRICT NO. 1**  
**LAKE WENATCHEE**  
**PUBLICLY-OWNED TREATMENT WORKS**  
**PO BOX 1231**  
**WENATCHEE, WA 98801**

Plant Location:

21251 State Highway 209  
Leavenworth, WA 98826

Receiving Water:

Wenatchee River (Winter)  
Ground Water (Summer)

Water Body I.D. No.:

Wenatchee River WA-45-1010

River Discharge Location:

Latitude: 47° 48' 37" N  
Longitude: 120° 42' 47" W

Plant Type:

A STEP system with: (1) recirculating sand filter and a surface water discharge in winter; and  
(2) facultative lagoon and sprayfield discharge in summer.

is authorized to discharge in accordance with the special and general conditions that follow.

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G. Thomas Tebb, L.E.G.  
Section Manager  
Water Quality Program  
Central Region Office  
Washington State Department of Ecology

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### SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S1. A.2b	Schedule of TMDL Compliance Progress Report	1/Permit cycle	February 28, 2009
S3.	Discharge Monitoring Report	Monthly	June 15, 2005
S3.E	Noncompliance Notification	As necessary	
S4.B.	Plans for Maintaining Adequate Capacity	As necessary	
S4.D.	Notification of New or Altered Sources	As necessary	
S4.E.	Wasteload Assessment	Twice per permit cycle	January 31, 2006
S5.G.	Operations and Maintenance Manual Update	As needed	
G1.	Signature Authorization/Delegation	As necessary	
G7.	Application for Permit Renewal	1/Permit cycle	April 30, 2009

## SPECIAL CONDITIONS

### S1. DISCHARGE LIMITATIONS

#### A.1 River Discharge Effluent Limitations

Beginning on **May 1, 2005** and lasting through **April 30, 2010**, the Permittee is authorized to discharge treated municipal wastewater to the Wenatchee River at the permitted location, subject to the following limitations:

Discharge to the Wenatchee River shall be limited annually to **September 1 through April 30** of the following year (this period shall not exceed eight consecutive months) and commencement of river discharge each season shall not occur until the dissolved oxygen (DO) of the receiving water is 9.7 mg/L or greater for three consecutive sampling days and effluent DO concentration is no lower than 2.8 for the same time period. Effluent quality shall meet the following numerical limitations:

EFFLUENT LIMITATIONS: OUTFALL # 001		
Parameter	Average Monthly <sup>a</sup>	Daily Limitation <sup>b</sup>
Biochemical Oxygen Demand (5 day) (BOD <sub>5</sub> )	10 mg/L; 3.9 lbs/day	10 mg/L; 3.9 lbs/day
Total Suspended Solids (TSS)	10 mg/L; 3.9 lbs/day	10 mg/L; 3.9 lbs/day
Fecal Coliform Bacteria	50/100 mL	230/100 mL
Dissolved Oxygen (DO) Minimum	N/A	2.8 mg/L
pH	shall not be outside the range of 6.5 to 8.5	
<sup>a</sup> -The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. The daily discharge is calculated as the average measurement of the pollutant over the day.		
<sup>b</sup> -The greatest allowable value for any calendar day for all parameters except DO. The Permittee is required to maintain a minimum effluent concentration of 2.8 mg/L of DO at all times.		

#### A.2a Schedule of TMDL Compliance

The Permittee shall be in compliance with assigned wasteload allocations by **July 14, 2014**.

#### A.2b Progress Report

The Permittee shall submit a report to the Department describing the measure to be taken to achieve compliance with assigned wasteload allocations. The report shall be submitted by **February 28, 2009**. In the event a wasteload allocation is not assigned the report shall state no wasteload allocation assigned and this permit requirement shall be fulfilled.

## B. Sprayfield Effluent Limitations

Discharge to the sprayfield shall be limited to only that time period of **April 1 through September 30** of each year. Effluent quality shall meet the following numerical limitations:

<b>EFFLUENT LIMITATIONS: SPRAYFIELD</b>		
<b>Parameter</b>	<b>Average Monthly <sup>a</sup></b>	<b>Average Weekly <sup>b</sup></b>
Soluble BOD	20 mg/L, 8.67 lbs/day	30 mg/L, 13 lbs/day
TSS	45 mg/L, 19.5 lbs/day	67.5 mg/L, 29.3 lbs/day
Total Coliform Bacteria	50 colonies/100 ml	200 colonies/100 mL
pH	shall not be outside the range of 6.0 to 9.0	
<b>Parameter</b>	<b>Average Monthly</b>	<b>Daily Minimum</b>
TRC	N/A	1.0 mg/L
DO	N/A	0.2 mg/L
<b>Parameter</b>	<b>Average Monthly</b>	<b>Seasonal Maximum</b>
Total Nitrogen	N/A	1560 lbs
Total Flow	3.05 MG	9.335 MG
a-The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.		
b-The highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week. The daily discharge is calculated as the average measurement of the pollutant over the day.		

## C. Ground Water Limitations

Beginning on **May 1, 2005** and lasting through **April 30, 2010**, the Permittee shall be subject to the following ground water limitations:

<b>GROUND WATER LIMITATIONS: MONITORING WELLS: #2 and SW1</b>		
<b>Parameter</b>	<b>Units</b>	<b>Maximum Daily</b>
Total Dissolved Solids	mg/L	195.5
Nitrate	mg/L as N	4.7

#### D. Mixing Zone Authorization

The mixing zone authorized under this permit shall be no larger than that allowed under Chapter 173-201A WAC. The maximum boundaries of the mixing zones are defined as follows:

The chronic mixing zone shall extend upstream and downstream for 300 feet and upstream for 25 feet and shall extend 30 feet across the river, with a dilution at "critical condition" is calculated to be **214:1**.

The acute mixing zone shall extend upstream and downstream for 30 feet and upstream for 2.5 feet and shall extend 3 feet across the river, with a dilution at "critical condition" calculated to be **43:1**.

## S2. MONITORING REQUIREMENTS

### A. Monitoring Schedule

#### 1. Influent

Beginning on **May 1, 2005** and lasting through **April 30, 2010**, the Permittee shall monitor influent to the central wastewater treatment facility according to the following schedule:

Parameter	Units	Sampling Frequency	Sample Type
Total Flow	MGD	Continuous	Metered
pH	Standard Units	2/week <sup>1</sup>	Grab <sup>2</sup>
BOD <sub>5</sub>	mg/L	1/week <sup>3</sup>	Grab
BOD <sub>5</sub>	lbs/day	1/week	Calculation <sup>4</sup>
TSS	mg/L	1/week	Grab
TSS	lbs/day	1/week	Calculation
TDS	mg/L	1/week	Grab
Chloride	mg/L	1/week	Grab
Ammonia-Nitrogen	mg/L	2/week	Grab
Ammonia-Nitrogen	lbs/day	2/week	Calculation
Temperature	°C	2/week	Grab

<sup>1</sup> "2/week" means samples collected two times every calendar week excluding weekends and holidays.

<sup>2</sup> "Grab" means an individual sample collected in less than fifteen (15) minutes.

<sup>3</sup> "1/week" means samples collected once during each calendar week, excluding holidays and weekends. Samples shall be collected on a rotational basis throughout the days of the week.

<sup>4</sup> "Calculation" means lbs/Day for both BOD and TSS is derived from the following calculation: Flow in MGD x mg/L of TSS or BOD X 8.34.

## 2. River Discharge

When discharging to the river, the Permittee shall monitor treatment plant effluent according to the following schedule:

Parameter	Units	Sampling Frequency	Sample Type
Total Flow	MGD	Continuous	Metered
pH	Standard Units	5/week <sup>1</sup>	Grab <sup>2</sup>
BOD <sub>5</sub>	mg/L	1/week <sup>3</sup>	24-hr Composite <sup>4</sup>
BOD <sub>5</sub>	lbs/day	1/week	Calculation <sup>5</sup>
TSS	mg/L	1/week	24-hr Composite
TSS	lbs/day	1/week	Calculation
Fecal Coliform Bacteria	# /100mL	2/week <sup>6</sup>	Grab
Total Residual Chlorine <sup>7</sup>	mg/L	5/week	Grab
Ammonia-Nitrogen	mg/L	2/week	Grab
Ammonia-Nitrogen	lbs/day	2/week	Calculation
Nitrate + Nitrite	mg/L	1/week	24-hr Composite
Alkalinity	mg/L CaCO <sub>3</sub>	2/month <sup>8</sup>	Grab
Hardness <sup>9</sup>	mg/L CaCO <sub>3</sub>	2/month	Grab
DO	mg/L	3/week <sup>10</sup>	Grab
Temperature	°C	3/week	Grab
Phosphorus	mg/L	1/month <sup>11</sup>	Grab

<sup>1</sup> "5/week" means collected five times during each calendar week excluding weekends and holidays.

<sup>2</sup> "Grab" means an individual sample collected in less than fifteen (15) minutes.

<sup>3</sup> "1/week" means samples collected once during each calendar week, excluding holidays and weekends. Samples shall be collected on a rotational basis throughout the days of the week.

<sup>4</sup> "24-hr. composite" means a series of individual samples collected over a 24-hour period into a single container, and analyzed as one sample. "Calculation" means lbs/Day for both BOD and TSS is derived from the following calculation: Flow in MGD x mg/L of TSS or BOD X 8.34.

<sup>5</sup> "Calculation" means lbs/Day for both BOD and TSS is derived from the following calculation: Flow in MGD x mg/L of TSS or BOD X 8.34.

<sup>6</sup> "2/week" means samples collected two times every calendar week excluding weekends and holidays.

<sup>7</sup> (TRC) shall be collected five times during each calendar week, excluding holidays and weekends, only in the event emergency back up chlorine disinfection is used.

<sup>8</sup> "2/month" means sampled twice from non-consecutive days during the calendar month.

<sup>9</sup> Monitoring for effluent hardness is required only during the months of September and October.

<sup>10</sup> "3/week" means collected three times during each calendar week excluding weekends and holidays.

<sup>11</sup> "1/month" means collected once during the calendar month.



### 3. Sprayfield Discharge

When discharging to the sprayfield, the Permittee shall monitor the wastewater and soil according to the following schedule:

Parameter	Units	Sampling Frequency	Sample Type
Total Flow	MGD	Daily	Metered
Total Flow	inches	Daily	Calculation
pH	Standard Units	5/week <sup>1</sup>	Grab <sup>2</sup>
Soluble BOD <sub>5</sub>	mg/L	1/week <sup>3</sup>	24-hr Composite <sup>4</sup>
Soluble BOD <sub>5</sub>	lbs/day	1/week	Calculation <sup>5</sup>
TSS	mg/L	1/week	24-hr Composite
TSS	lbs/day	1/week	Calculation
Total Coliform	#/100mL	2/week <sup>6</sup>	Grab
TRC	mg/L	3/week <sup>7</sup>	Grab
Total Nitrogen	mg/L	1/week	24-hr Composite
Total Nitrogen	lbs/day	1/week	Calculation
Total Phosphorous	mg/L	1/month	Grab
DO	mg/L	3/week	Grab
Chloride	mg/L	1/month <sup>8</sup>	Grab
Specific Conductivity	umhos/cm	1/month	Grab
Ferrous Iron in soil	absent/present	1/month	Core-Grab

<sup>1</sup> "5/week" means collected five times during each calendar week excluding weekends and holidays.

<sup>2</sup> "Grab" means an individual sample collected in less than fifteen (15) minutes.

<sup>3</sup> "1/week" means samples collected once during each calendar week, excluding holidays and weekends. Samples shall be collected on a rotational basis throughout the days of the week.

<sup>4</sup> "24-hr. composite" means a series of individual samples collected over a 24-hour period into a single container, and analyzed as one sample. "Calculation" means lbs/Day for both BOD and TSS is derived from the following calculation: Flow in MGD x mg/L of TSS or BOD X 8.34.

<sup>5</sup> "Calculation" means lbs/Day for both BOD and TSS is derived from the following calculation: Flow in MGD x mg/L of TSS or BOD X 8.34.

<sup>6</sup> "2/week" means samples collected two times every calendar week excluding weekends and holidays.

<sup>7</sup> "3/week" means collected three times during each calendar week excluding weekends and holidays.

<sup>8</sup> "1/month" means sampled once per month from non-consecutive days.

#### 4. Ground Water

The Permittee shall monitor the ground water in each of the three (3) monitoring wells according to the following schedule:

Parameter	Units	Monitoring Well	Sampling Frequency	Sample Type
Chloride	mg/L	#1, 2, & SW1	1/month <sup>a</sup>	Grab <sup>c</sup>
Nitrate	mg/L as N	#1, 2, & SW1	1/month	Grab
pH	Standard Units	#1, 2, & SW1	1/month	Grab
Specific Conductivity	µmhos/cm	#1, 2, & SW1	1/month	Grab
Temperature	°C	#1, 2, & SW1	1/month	Grab
TDS	mg/L	#1, 2, & SW1	1/month	Grab
Fecal Coliform	CPU/100 ml	#1, 2, & SW1	1/month	Grab
Water Level	Feet	#1, 2, & SW1	1/month	Measurement
Total Nitrogen	mg/L as N	#1, 2, & SW1	2/year <sup>b</sup>	Grab
Total Iron	mg/L	#1, 2, & SW1	2/year	Grab
Manganese	mg/L	#1, 2, & SW1	2/year	Grab
Sulfate	mg/L	#1, 2, & SW1	2/year	Grab
Alkalinity	mg/L	#1, 2, & SW1	2/year	Grab
Calcium	mg/L	#1, 2, & SW1	2/year	Grab
Magnesium	mg/L	#1, 2, & SW1	2/year	Grab
Potassium	mg/L	#1, 2, & SW1	2/year	Grab
Sodium	mg/L	#1, 2, & SW1	2/year	Grab
Total Phosphorous	mg/L	#1, 2, & SW1	2/year	Grab

<sup>a</sup> "1/month" means collected during each month or partial month when wastewater is applied to the sprayfield.

<sup>b</sup> "2/year" means collected during the first month when wastewater is applied to the sprayfield and during the month of August.

<sup>c</sup> "Grab" means an individual sample collected in less than fifteen (15) minutes.

#### B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest

revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

#### **C. Flow Measurement**

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

#### **D. Laboratory Accreditation**

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. The Department exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

#### **E. Request for Reduction in Monitoring**

The Permittee may request the Department of Ecology (Department) review the data to determine whether a reduction of the sampling frequency is warranted after twelve (12) months of monitoring. The request shall: (1) be in written form, (2) clearly state the parameters for which the reduction in monitoring is being requested, and (3) clearly state the justification for the reduction. Any request for reduction in monitoring shall be granted at the Department's discretion and accomplished through an Administrative Order or permit modification.

### **S3. REPORTING AND RECORDKEEPING REQUIREMENTS**

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

**A. Reporting**

The first monitoring period begins on **May 1, 2005**. Monitoring results shall be submitted monthly. Monitoring data obtained during each monitoring period shall be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by the Department. DMR forms shall be received by the Department no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. The report(s) shall be sent to:

Permit Data Systems Manager  
Department of Ecology  
Central Regional Office  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902

**B. Records Retention**

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Department.

**C. Recording of Results**

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

**D. Additional Monitoring by the Permittee**

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Special Condition S2 of this permit, then the results of such monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

#### **E. Noncompliance Notification**

In the event the Permittee is unable to comply with any of the terms and conditions of this permit due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance, correct the problem and, if applicable, repeat sampling and analysis of any noncompliance immediately and submit the results to the Department within (30) days after becoming aware of the violation.
2. Immediately notify the Department of the failure to comply.
3. Submit a detailed written report to the Department within thirty (30) days (five [5] days for upsets and bypasses), unless requested earlier by the Department. The report shall contain a description of the noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

#### **F. Maintaining a Copy of This Permit**

A copy of this permit must be kept at the treatment plant and be made available upon request to the public or Ecology inspectors.

### **S4. FACILITY LOADING**

#### **A. Design Criteria**

Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded.

##### **1. Recirculating Filter (winter only)**

Monthly average flow (maximum month):	0.0467 MGD
Peak hourly effluent flow:	0.0793 million gallons per hour
BOD <sub>5</sub> influent loading:	58.4 lbs/day
TSS influent loading:	23.4 lbs/day
Ammonia Nitrogen loading:	19.5 lbs/day

**2. Facultative Lagoon (summer only)**

Monthly average flow (maximum month): 0.052 MGD  
BOD<sub>5</sub> influent loading: 65 lbs/day  
TSS influent loading: 26.0 lbs/day

**3. Sprayfield (summer only)**

Peak seasonal flow: 13.1 million gallons per season  
Total Nitrogen influent loading: 1560 lbs/season

**B. Plans for Maintaining Adequate Capacity**

The Permittee shall submit to the Department a plan and a schedule for continuing to maintain capacity when:

1. The actual flow or wasteload reaches 85 percent of any one of the design criteria in S4.A for three (3) consecutive months; or
2. The projected increase would reach design capacity within five (5) years, whichever occurs first. If such a plan is required, it shall contain a plan and schedule for continuing to maintain capacity. The capacity as outlined in this plan must be sufficient to achieve the effluent limitations and other conditions of this permit.

This plan shall address the following actions or any others necessary to meet the objective of maintaining capacity.

- a. Analysis of the present design including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A above.
- b. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.
- c. Limitation on future sewer extensions or connections or additional waste loads.
- d. Modification or expansion of facilities necessary to accommodate increased flow or waste load.

- e. Reduction of industrial or commercial flows or wasteloads to allow for increasing sanitary flow or waste load.

Engineering documents associated with the plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by the Department prior to any construction. The plan shall specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

#### **C. Duty to Mitigate**

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment

#### **D. Notification of New or Altered Sources**

The Permittee shall submit written notice to the Department whenever any new discharge or a substantial change in volume or character of an existing discharge into the POTW is proposed which: (1) would interfere with the operation of, or exceed the design capacity of, any portion of the POTW; (2) is not part of an approved general sewer plan or approved plans and specifications; or (3) would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the POTW's ability to adequately transport and treat the added flow and/or waste load, the quality and volume of effluent to be discharged to the POTW, and the anticipated impact on the Permittee's effluent [40 CFR 122.42(b)].

#### **E. Wasteload Assessment**

The Permittee shall conduct two assessments of the flow and wasteload and submit the first report to the Department by **January 31, 2006** and submit the second by **April 30, 2009**. The report shall contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly average dry weather and wet weather flows, peak flows, BOD, and total suspended solids loadings; and the percentage increase in these parameters since the previous report. The report shall also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above. The interval for review and reporting may be modified if the Department determines that a different frequency is sufficient.

## **S5. OPERATION AND MAINTENANCE**

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance (O&M) also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

### **A. Certified Operator**

An operator certified for at least a Class II plant by the State of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class I plant shall be in charge during all regularly scheduled shifts.

### **B. O & M Program**

The Permittee shall institute an adequate (O&M) program for the entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

### **C. Short-term Reduction**

If a Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to the Department, if possible, thirty (30) days prior to such activities, detailing the reasons for, length of time of, and the potential effects of the reduced level of treatment. This notification does not relieve the Permittee of its obligations under this permit.

### **D. Electrical Power Failure**

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes.



The Permittee shall maintain Reliability Class I (EPA 430-99-74-001) at the wastewater treatment plant, which requires primary sedimentation and disinfection.

**E. Prevent Connection of Inflow**

The Permittee shall strictly enforce their sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

**F. Bypass Procedures**

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and the Department may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by the Department prior to the bypass. The Permittee shall submit prior notice, if possible at least ten (10) days before the date of the bypass.

2. Bypass which is unavoidable, unanticipated and results in noncompliance of this permit.

This bypass is permitted only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.
- c. The Department is properly notified of the bypass as required in Special Condition S3.E of this permit.

3. Bypass which is anticipated and has the potential to result in noncompliance of this permit

The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain: (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order for this type bypass:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.

#### **G. O&M Manual**

The approved O&M Manual shall be kept available at the treatment plant and all operators shall follow the instructions and procedures of this Manual.

The O&M Manual shall be reviewed by the Permittee at least annually. Substantial changes or updates to the O&M Manual shall be submitted to the Department whenever they are incorporated into the Manual.

#### **S6. RESIDUAL SOLIDS**

To prevent water quality problems the Permittee shall manage all residual solids (grit, screenings, scum, sludge and solid waste) in accordance with the requirements of: (1) RCW 90.48.080 and Water Quality Standards; (2) applicable sections of 40 CFR Part 503 and Chapter 173-308 WAC, "Biosolids Management"; and (3) applicable sections of Chapter 173-304 WAC, "Minimum Functional Standards for Solid Waste Handling."

The final use and disposal of biosolids shall be done in accordance with Chapter 173-308 WAC ("Biosolids Management"), 40 CFR Part 503, and under coverage of the State general permit for biosolids management. The disposal of solid waste, other than biosolids, is regulated by the local jurisdictional health department in accordance with State solid waste regulations.

## GENERAL CONDITIONS

### G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - 1. The authorization is made in writing by a person described above and submitted to the Department.
  - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

## **G2. RIGHT OF INSPECTION AND ENTRY**

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.
- B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.
- C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
- D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

## **G3. PERMIT ACTIONS**

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

- A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:
  - 1. Violation of any permit term or condition.
  - 2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.
  - 3. A material change in quantity or type of waste disposal.
  - 4. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR part 122.64(3)].
  - 5. A change in any condition that requires either a temporary or permanent reduction, or elimination of any discharge or sludge use or disposal practice controlled by the permit [40 CFR part 122.64(4)].
  - 6. Nonpayment of fees assessed pursuant to RCW 90.48.465.
  - 7. Failure or refusal of the permittee to allow entry as required in RCW 90.48.090.

B. The following are causes for modification but not revocation and reissuance except when the permittee requests or agrees:

1. A material change in the condition of the waters of the State.
2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.
3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.
4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.
5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR part 122.62.
6. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.
7. Incorporation of an approved local pretreatment program into a municipality's permit.

C. The following are causes for modification or alternatively revocation and reissuance:

1. Cause exists for termination for reasons listed in A1 through A7 of this section, and the Department determines that modification or revocation and reissuance is appropriate.
2. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new permittee.

#### **G4. REPORTING PLANNED CHANGES**

The Permittee shall, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to the Department of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in: 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b); 2) a significant change in the nature or an increase in quantity of pollutants discharged; or 3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation of the terms and conditions of this permit.

#### **G5. PLAN REVIEW REQUIRED**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities shall be constructed and operated in accordance with the approved plans.

#### **G6. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

#### **G7. DUTY TO REAPPLY**

The Permittee shall apply for permit renewal at least one (1) year prior to the specified expiration date of this permit.

#### **G8. TRANSFER OF THIS PERMIT**

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

##### **A. Transfers by Modification**

Except as provided in paragraph (B) below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

##### **B. Automatic Transfers**

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least thirty (30) days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them.

3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under this subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

#### **G9. REDUCED PRODUCTION FOR COMPLIANCE**

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

#### **G10. REMOVED SUBSTANCES**

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to State waters.

#### **G11. DUTY TO PROVIDE INFORMATION**

The Permittee shall submit to the Department, within a reasonable time, all information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to the Department upon request, copies of records required to be kept by this permit.

#### **G12. OTHER REQUIREMENTS OF 40 CFR**

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

#### **G13. ADDITIONAL MONITORING**

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

#### **G14. PAYMENT OF FEES**

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.



**G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

**G16. UPSET**

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in Special Condition S3.E; and 4) the Permittee complied with any remedial measures required under Special Condition S4.C of this permit.

In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

**G17. PROPERTY RIGHTS**

This permit does not convey any property rights of any sort, or any exclusive privilege.

**G18. DUTY TO COMPLY**

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

**G19. TOXIC POLLUTANTS**

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

**G20. PENALTIES FOR TAMPERING**

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than ten thousand dollars (\$10,000) per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than twenty thousand dollars (\$20,000) per day of violation, or by imprisonment of not more than four (4) years, or by both.

**G21. REPORTING ANTICIPATED NON-COMPLIANCE**

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by the Department.

**G22. REPORTING OTHER INFORMATION**

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Department, it shall promptly submit such facts or information.

**G23. COMPLIANCE SCHEDULES**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date.